

Message Text

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PAGE 01 PARIS 20287 060954Z

14

ACTION L-03

INFO OCT-01 EUR-12 SCA-01 ISO-00 JUSE-00 VO-03 SNM-02 /022 W

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R 061046Z AUG 75

FM AMEMBASSY PARIS

TO AMEMBASSY MADRID

INFO SECSTATE WASHDC 1957

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E.O. 11652: N/A

TAGS: CPRS, PFOR, SNAR, SP

SUBJECT: EXTRADITION - JOSE JIMENEZ CENTOR

REF: STATE 167656 AND CONNETT/LEE TELEPHONE CONVERSATION.

1. GOF HAS TAKEN INITIATIVE TO SEND US NOTE CONFIRMING WHAT JUSTICE MINISTRY TOLD US ORALLY REGARDING INTERPRETATION OF ARTICLE 6 OF FRENCH PENAL CODE OF MARCH 10, 1927. EMBASSY MADRID HAD ASKED PARIS TELEPHONICALLY WHETHER THIS ARTICLE MIGHT NOT PERMIT FRENCH TO EXTRADITE JIMENEZ CENTOR TO U.S. WITHOUT FORMAL WITHDRAWAL BY SPAIN OF ITS EXTRADITION REQUEST. AFTER CONSULTING JUSTICE MINISTRY, PARIS REPLIED TELEPHONICALLY THAT FORMAL WITHDRAWAL WAS SINE QUA NON AND GAVE REASONS WHY.

2. FOREIGN OFFICE NOTE MENTIONS THAT SPANISH EXTRADITION REQUEST WAS RECEIVED DECEMBER 27, 1974 AND GRANTED FEBRUARY 11, 1975, WHILE OURS WAS DATED MARCH 12, 1975. IT GOES ON TO SAY THAT "IN PRESENT CASE ARTICLE 6 OF LAW OF MARCH 10 CANNOT BE APPLIED SINCE THE TWO REQUESTS WERE NOT PRESENTED CONCURRENTLY".

3. NOTE CONCLUDES THAT U.S. EXTRADITION REQUEST COULD ONLY BE CONSIDERED IF USG IS SUCCESSFUL IN HAVING GOS RENOUNCE ITS EXTRADITION REQUEST IN FAVOR OF OURS. IT ADDS THAT THIS RENUNCIATION SHOULD TAKE FORM OF LIMITED OFFICIAL USE

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OFFICIAL NOTE FROM SPANISH TO FRENCH AUTHORITIES.

4. IN ABSENCE OF ACTION CITED IN PRECEDING PARAGRAPH, JIMENEZ CENTOR WILL BE TURNED OVER TO SPANISH AUTHORITIES AS SOON AS FRENCH JUSTICE HAS BEEN SATISFIED.

5. WE HAVE NOT YET SEEN ANY REPLY FROM MADRID TO DEPTTEL 167656. IF ONE HAS BEEN SENT, WE WOULD APPRECIATE RECEIVING COPY.
GAMMON.

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Disposition Authority: RowellE0
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